

**CV-13 2547**

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y. **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF NEW YORK**

★ JUL 08 2013 ★

**LONG ISLAND OFFICE**

Civil Action  
Docket No.:

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ APR 26 2013 ★

**LONG ISLAND OFFICE**

\_\_\_\_\_)  
)  
IN THE MATTER OF THE COMPLAINT )

OF )

HMS BOUNTY ORGANIZATION, LLC )  
AS OWNER OF THE HMS BOUNTY )  
FOR EXONERATION OR LIMITATION )  
OF LIABILITY )  
\_\_\_\_\_)

**FEUERSTEIN, J**  
**LINDSAY, M**

**ORDER DIRECTING ISSUANCE OF NOTICE  
AND RESTRAINING PROSECUTION OF CLAIMS**

A Complaint having been filed herein on the 26<sup>th</sup> day of April, 2013 by Petitioner, HMS Bounty Organization, LLC, claiming exoneration from and/or limitation of liability as provided for in Rule F, F.R.Civ.P., Supplemental Rules for Certain Admiralty and Maritime Claims, and in 46 U.S.C. §§ 30501-30512, for all losses, damages, injuries, or destruction occasioned or incurred on or in connection with the loss of the HMS Bounty on October 29, 2012, on the high seas approximately 90 miles off the Coast of South Carolina, as is more fully described in the Petition.

NOW, THEREFORE, on Petitioner's Motion:

IT IS ORDERED that Petitioner's Motion for Order Directing Issuance of Notice

and Restraining Prosecution of Claims is GRANTED.

IT IS FURTHER ORDERED that the Court accept for the Court's registry the tender of \$250.00 by Petitioner for deposit with the Court pending resolution of this action, and that Petitioners pay such sum into the Court's Registry within 10 days of this Order; and

IT IS FURTHER ORDERED that the Affidavit of Value filed by Robert Hansen, Manager of HMS Bounty Organization, LLC, Petitioner herein, be accepted by the Court as the value of the *HMS Bounty* and any freight then pending, at the conclusion of the voyage on which the vessel was lost; and

IT IS FURTHER ORDERED that the Petitioner, and any claimant who may properly become a party hereto, may contest the amount or value of Petitioner's interest in the *HMS Bounty*, and its pending freight, if any, as set forth in Robert Hansen's Affidavit, and may move the Court for due appraisal of said interest and may apply to have the amount of said value increased, as the case may be, on the determination by the Court of the amount or value of said interest; and

IT IS FURTHER ORDERED that a notice issue out of and under the seal of this Court advising and admonishing all persons asserting claims for any and all losses, damages, injuries or destruction allegedly resulting from or incident to the occurrences and happenings recited in the Complaint, to file their respective claims with the Clerk, United States District Court, Alfonse M. D'Amato United States Courthouse, Federal Plaza, Room 100, Central Islip NY 11722, on or before the 22th day of August, 2013, and serve on Petitioner's attorney, Frank N. Ambrosino, Tonetti & Ambrosino 548 West Jericho Turnpike, Smithtown, NY 11787, a copy thereof, and

require any claimant who desires to contest Petitioner's right to exoneration from and/or right to limitation of liability to file and serve an answer to the Complaint, unless his claim has included an answer;

IT IS FURTHER ORDERED that publication of the aforesaid notice in the form required by Rule F, F.R.Civ.P., Supplemental Rules for Certain Admiralty and Maritime Claims, be published in a newspaper of general circulation in the <sup>County</sup> City of Suffolk, namely Newsday, once a week for four successive weeks prior to the date fixed for the filing of claims;

IT IS FURTHER ORDERED that the commencement or further prosecution of any actions or proceedings against the Petitioner, its sureties, underwriters and insurers, including the *HMS Bounty*, or any of their property with respect to any claims for which Petitioner seeks limitation of liability herein, including any claim arising out of or incident to or connected with any loss, damage, injury or destruction, resulting from the loss of the *HMS Bounty* on October 29, 2012, on the high seas approximately 90 miles off the coast of South Carolina, as is more fully described in the Petition, be and the same is hereby stayed and restrained until the hearing and determination of this proceeding.

IT IS FURTHER ORDERED that the Petitioner, no later than the second day of publication of the Notice ordered herein, shall mail a copy of the notice to every person known to have made a claim against the *HMS Bounty*, or against the Petitioner arising out of the incident described in the Complaint.

**SO ORDERED.**

s/ Sandra J. Feuerstein

United States District Judge  
Dated this 8<sup>th</sup> day of July, 2013